THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 8552 of 2007

DATED: 24-04-2007

Between:

Sanda Seetaiah

…Petitioner

and

The Civil Supplies Corporation Ltd.,
Represented by its Commissioner,
Civil Supplies Bhavan,
Hyderabad and others.

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 8552 of 2007

Oral order:

The petitioner is a Fair Price Shop Dealer of Shop No. 1 of Sreeramgiri Village, Nellikudur Mandal, Mahabubabad, Warangal District. By the order dated 4-4-2007 of the 2nd respondent, his authorization was suspended pending enquiry. The order stated that the Additional Revenue Inspector of Nallikudur Mandal by his communication dated 23-3-2007 had reported that a case was booked against the petitioner under Section 6-A of the Essential Commodities Act, 1955 for having committed irregularities in distributing the kerosene oil and diverting the same into black market. An order of suspension of authorization is traceable to the power under Section 5 (4) of the Andhra Pradesh Public Distribution System Control Order, 2001 (for short 'the control order') which is in the nature of an interim action taken pending conduct of an enquiry for alleged violations of the control order or the terms of the authorization of the petitioner. It is therefore, necessary that the 2nd respondent should initiate an enquiry against the petitioner and after giving an opportunity to submit his explanation to the charge sheet, conclude the enquiry expeditiously. The petitioner cannot be suspended pending enquiry under Section 6-A of the Act for an indefinite period without enquiry.

In the aforesaid circumstances, the writ petition is disposed of at the stage of admission, after hearing the learned Government Pleader for Civil Supplies also, directing the 2nd respondent to expeditiously

and in any event within a period of (60) days from the date of receipt of a copy of this order, initiate and complete the enquiry into the allegations which led to the suspension of the petitioner's authorization by the order impugned in this writ petition. There shall be no order as to costs.

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GODA RAGHURAM, J

24-04-2007
GRR